

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
TUESDAY, FEBRUARY 11, 2020

I. CALL TO ORDER

Mayor Ladwig called the open meeting to order at 6:00pm. Council members in attendance: Miller, West, Ladwig, Grover, Davies. City Staff in attendance: City Manager Eli Naffah, City Clerk Gabriel Adams, City Planner Trever Parker.

II. ADJOURN TO CLOSED SESSION

1. Conference with legal counsel regarding active litigation. Tsurai Ancestral Society vs. City of Trinidad. Pursuant to California Government Code section 54956.9 (a)
2. City Manager Contract Review/Negotiations Pursuant to Government Code Section 54957

III. RECONVENE TO OPEN SESSION – The Council had nothing to report.

IV. PLEDGE OF ALLEGIANCE

V. APPROVAL OF THE AGENDA

Motion (Grover/West) to approve the agenda as amended. Passed unanimously.

VI. APPROVAL OF MINUTES - 01-14-2020 cc

Meg Stofsky – NAACP Member

Expressed concern that the motion written regarding Van Wycke Trail agenda item 3 was incorrect.

Motion (West/Grover) to approve the minutes as submitted. Passed unanimously.

VII. COUNCILMEMBER REPORTS/COMMITTEE ASSIGNMENTS

West: HCAOG is requesting that a mobile message board be placed along the 101 Corridor to improve safety, and also looking at housing issues and the complete streets/green streets program to help lower carbon footprint and offset greenhouse gasses.

Miller: RCEA working to stabilize CCA rate charged to Humboldt County residents for their energy, and is currently ½ cent below PG&E rate.

Ladwig: RREDC met and continued their discussions exploring economic development opportunities, and acknowledged City staff for their work on a successful newsletter that was sent to all residents in January.

Grover: No report.

Davies: The Trails Committee met but there was not a quorum. Hope to finalize the trails policy in March.

VIII. STAFF REPORTS

City Manager Naffah highlighted items listed in the written staff activity report. Reported on the City Manager's meeting in Napa, and announced the upcoming Redwood League of CA Cities meeting. Provided an update on Verizon's progress with developing alternative cell facility sites.

Davies: An electronic alert was not sent for the recent Planning Commission Special Meeting. I will continue to push to have all public comments published online, and insist that standing committees produce official meeting minutes for every meeting.

IX. ITEMS FROM THE FLOOR

(Three (3) minute limit per Speaker unless Council approves request for extended time.)

Joel Morrission – Social Worker, NAACP Member

Read a letter submitted by Sharrone Blanck, President of the Eureka NAACP, dated February 11, 2020, requesting an audio recording from the 01-14-2020 City Council meeting, expressing concerns about the accuracy of the motion regarding the Van Wycke Trail, and requesting information regarding implementation of a video recording of Council meetings.

Meg Stofsky – NAACP Member

I believe there has been a violation of the Brown Act regarding meetings that were not properly noticed. NAACP shouldn't have to call and speak with City officials to be informed about City Council actions or activities.

Dan Chandler

Read from prepared comments submitted to the City Clerk. Unfortunately RCEA is still interested in biomass as an energy source. The State of California requires emissions to be reduced by 50% in 10 years. What can the City do to reduce the impacts of climate change?

Jack Nounan – Community & climate activist

The climate is in crisis. Time to get busy and make change happen. Reduce energy consumption, and face the reality that the climate is changing.

Lori Keating – Trinidad area resident

I learned about tonight's meeting from HARP. I'm concerned about the Rancheria's plans for a freeway exit, a hotel, and the plans for a cell tower in Westhaven. **Mayor Ladwig** suggested she direct her requests to the County.

Richard Johnson – Planning Commissioner

Question regarding where bulk water sales from delivery companies are reported. City Clerk stated he would follow-up with Johnson.

Erin Quinlan – Trinidad area resident

Westhaven Drive should be maintained better and I don't want it to become a highway or interchange. 5G cell service is unhealthy, and how is the Rancheria's proposed hotel going to dispose of waste water?

Steve Madrone – Trinidad area resident

The County maintains a feedback page on their website to report road issues. The cell tower location is at the end of Ox Road. Environmental work is being done for the interchange concept, but I suggest contacting the Rancheria directly for more information. I appreciate Mr. Chandler coming forward with his concerns regarding energy use. We should all do a personal audit. The City should perform an energy audit. The County could purchase land for carbon offsets, convert all busses to green energy, and install solar panels on all public facilities.

X. CONSENT AGENDA

1. Staff Activity Report – January 2020
2. Financial Statements December 2019
3. Law Enforcement Report January 2020
4. Review/Accept Fiscal Year 2018-2019 Audited Financial Statements
5. Accept PARSAC Agreement for Apportionment of Retirement Obligations.

Item 4 pulled for discussion. Miller noted that the management's discussion and analysis was omitted this year intentionally as noted in paragraph 2 of audit page 3.

*Motion (Miller/West) to approve the consent agenda as amended, including item 4. **Passed unanimously.***

XI. DISCUSSION/ACTION AGENDA ITEMS

1. Discussion/Decision regarding Draft Water Connection Policy.
City Planner Trevor Parker explained the basis from which the Planning Commission began shaping the criteria for evaluating water outside the city limits, as outlined in a memo to the Council dated February 05, 2020 included in the meeting packet. Beginning with a statement of facts, the memo starts with a brief introduction of the watershed, water system, demand, and recent studies performed to frame the discussions. The analysis continued with describing the rationale used to help formulate the policies.

Parker explained that the Commission has taken a holistic approach to developing policies and criteria to accommodate a broad range of situations without any one scenario in mind, guided by several key premises:

1. The City does not currently have the production capacity to serve the entire Service Area at full build-out, therefore certain areas and/or uses should be prioritized for service based primarily on the relative benefits to the City.
2. Planning principals and practice dictate that provision of services outside a jurisdiction's boundaries does not promote orderly growth and is generally undesirable, therefore annexation should be a component of any decision.

Based on the above premises, the proposed criteria have prioritized service to 1) build-out within City limits, 2) an allowance for ADU's in-city, 3) areas outside the City that the City has the capacity to serve and appropriate for future annexation, and 4) health and safety. In addition, there are provisions for the City Council to allow exceptions to the above priorities if certain findings can be made.

The memo continues with a more in-depth analysis of priority areas for future annexation based on the Coastal Act policies and benefits to the City. Also included is a brief summary of the results of evaluating build-out timelines with various growth rates, and tables/figures comparing priority area build-out in relation to remaining treatment plant capacity. The Planning Commission will use the comments from tonight's meeting to refine the attached policies/criteria prior to making a final recommendation to the Council.

Council questions included:

Davies: Do we have a process for water shortages, and do we have any written public comments from the special Planning Commission meeting? Most priorities listed in area A are visitor serving and the demand would be much higher than in normal residential uses.

Parker explained that there can be a drought contingency, a capital improvement program, and a plan to track residential uses.

Public comment included:

Meg Stofsky – NAACP member

Would appreciate more information on this topic and requested the City modernize the process.

Dave Hankin – Trinidad area

Read from prepared comments, submitted to the City Clerk. I found the information presented tonight to be very accessible and transparent. I am concerned about how GHD chose to express the excess capacity of 48,000 gpd as what can be pumped in June, and about the application requirements for new service. The excess capacity needs to be evaluated and re-defined.

Erin Quinlan – Trinidad area

Has the mandated housing increased? Concerned about the Rancheria's plan to drill wells to supply water to the hotel and how that may impact local area wells. **Parker** explained that the inventory of expected infill units is approximately 18-20.

Don Allan – Trinidad area

I appreciate the color map online of the water service area. Noted that it looks like the city has slightly reduced its overall use over time. I agree with the priorities listed, but wonder why the Rancheria isn't listed specifically. If there is available water, the Planning Commission or Council should decide who gets it – not the City Manager.

Bryce Kenny – Trinidad

Read from a prepared letter dated February 10, submitted to the City Clerk. Summarized, there should be a moratorium on expanding water service to areas A,B, and C until more data is received so the water resources are not over-allocated. We can't say what build-out will look like, but the City should wait for all the questions to be answered before determining the best approach to allocating water. Health and Safety policy also needs to be elaborated. Please review my letter for more details.

Richard Johnson – Trinidad area/City Planning Commissioner

There is a City water line that runs under the freeway connecting through the Baker Ranch subdivision area.

Steve Madrone – Trinidad area/County Supervisor

The conservative approach would be to do nothing new. The State just experienced a drought, but Trinidad did not. The City should think about annexation as part of the master plan.

Lori Keating – Your water comes from Luffenholtz Creek, a very beautiful watershed.

Aaron Hakenen – Trinidad

I'm new to the area, and notice a number of contradictions in this document. We should be careful with this resource. It looks like we can barely meet the demands, and I don't see a fire allocation policy written into the policy. It should be. Existing demands, climate change, and future needs are missing. Take your time to collect the data.

Council comments included:

West: I agree we should consider fire safety flow demands. **Parker** explained that the water model created by GHD will help determine how much, and how the flow will impact the system.

Davies: Who would be expected to bear the cost of system improvements needed to extend services? **Parker** explained that if and when the City got to that point, there are a variety of ways to address them.

Davies: 1) There is no plan for fire flow allocation, 2) The relative humidity seems to be dropping more each year, 3) I'm not in favor of annexation, 4) The policy has a lot of ambiguous language in it, and case-by-case scenarios are not good for planning, 5) there should be a moratorium on extending outside services, and 6) there should be a contingency plan for drought. We also should look at whether these policies conflict with our Local Coastal Plan. The numbers are theoretical, and I'm in favor of a very conservative policy.

Grover: It looks like there should be no plan to extend services or connections until we have more information. Agree with fellow Councilmembers.

Miller: Climate change. I'm very concerned about drought conditions, and we may need to look seriously at annexation because the City needs more human resources to serve on Councils, Commissions, Fire Department, etc.

Ladwig: I'm hearing there is no current policy to manage residential use inside the City limits, no policy to address a major leak in the system, and that a moratorium could be considered until more information is gathered. These should all be incorporated into the policy, and a more definition should be provided in the Health & Safety exception policy.

Extended public comment included:

Steve Madrone – Trinidad area/County Supervisor

The water storage tanks are made of redwood and vulnerable to fire. Reminded the Council of his plan to catch rainwater off roofs to supplement for fire and irrigation.

Dave Hankin – Trinidad area

WCSD may also develop contingency plans for drought conditions, requesting/requireing all residents to reduce their consumption by "x" percentage, for instance.

Don Allan – Trinidad area

Fire storage is very important. Roof-top collection will be useful and should be pursued.

Elaine Weinreb – Trinidad area

Barometric pressure has risen over time, and the prevailing wind direction has also shifted.

Aaron Hakenen – Trinidad

Define Health & Safety policy. Also keep in mind that rationing and reducing consumption could have a significant impact on the revenues and operating budget over time.

Richard Johnson – Planning Commission

The task assigned to the Commission was to review 1 small part of the water policy, "evaluating outside city extension requests". GHD generated reports that we have used, but our focus with this report is outside city service requests. We have worst-cased future uses. We took a conservative approach and feel we have adequate water for in-City residents. Historically the population has not increased much at all.

The Planning Commission will take all the comments into consideration and incorporate them into the final draft for Council consideration at a future meeting.

2. Discussion/Decision regarding Consultant Agreement for Active Transportation Education Services.
City Manager Naffah explained that the Van Wycke Bicycle and Pedestrian Connectivity Project includes \$22,000 in Caltrans Active Transportation Program (ATP) funding for a non-infrastructure program to increase bicycle and pedestrian safety and activity in Trinidad for consultant services and staff time. The Council awarded a consultant agreement of \$17,978 for the bicycle and pedestrian safety program to RCAA on December 10, 2019. Staff is exploring a significant scope change for the pedestrian trail portion of the project, and this may result in the termination of the ATP grant funding for construction as well as the non-infrastructure education component, which would mean loss of funding for the RCAA agreement.

The Trinidad Bicycle and Pedestrian Education Program is designed to encourage Trinidad residents and community members to use active modes of transportation and educate them about bicycle and pedestrian safety. The agreement scope, schedule and budget are summarized below:

Active Transportation Program Tasks	Task Details & Schedule	Budget
Task A: Disseminate information about Trinidad's non-motorized routes and bike/pedestrian safety education	Prepare project information poster and bike/ped safety poster. Disseminate at the June 2021 Fish Festival.	\$5,790
Task B: Trinidad Bicycle and Pedestrian Route Map in digital print-ready format and printed copies for Fish Festival.	Work with the Trail Committee and CCNM Gateway group to develop Map by Feb. 2021. Disseminate map by June 2021.	\$7,485
Task C: Bike Rodeo to teach children about bike and ped safety and encourage active modes of transportation	Plan event, publicize event and hold Bike Rodeo in May 2021.	\$3,500
	Other: Printing, travel, communications	\$1,203
	Agreement total	\$17,978

Caltrans Local Assistance staff have stated that the City would continue to be reimbursed for work under the non-infrastructure phase of the grant until such time as the ATP grant is terminated. Because of the uncertainty with the Caltrans grant funding, RCAA and staff are requesting direction from the City Council about ongoing funding support for the agreement or completion of specific project tasks through other potential funding sources.

There was no public comment.

*Motion (Davies/West) to suspend this grant until more information is received about the status of the Van Wycke Trail Rehabilitation grant. **Passed unanimously.***

3. Discussion/Decision regarding Mid-Year 2019-2020 Budget Update and Adjustments.
City Manager Naffah reported that this is an opportunity for the Council to have a discussion about the budget at the mid-year point. Staff reported various highlights such as a steep increase in Cemetery plot sales, and presented additional revenues that have come in after the December reports were printed.

With no significant situations, deficits, or issues to report, the Council did not have any further comments or questions.

There was no public comment.

No formal decision or action was taken.

4. November 2020 City Election Calendar
City Clerk Adams presented a calendar of upcoming benchmarks as the City prepares for the November 2020 General Election. The ballot will include 3 Council member seats up for election, along with a possible continuation of the ¾% Sales Tax Measure.

Public comment included:

Patti Fleschner – Trinidad

The first edition of this Sales Tax Measure was introduced in 2004 with a promise it would sunset in 4-years. The measure hurt my business, but the town may in fact benefit greatly from it.

Council comments included:

Miller: I would like to see what the additional revenue brought in over the last 4-years.

Ladwig: I would like to request a visual comparison showing all the City's income sources relative to one-another, and the income difference between the regular sales tax revenue vs. the add-on tax.

West: I think it would be helpful to see how much of this tax is paid by tourists.

Staff will assemble the data as requested and return to a March meeting for a continued discussion.

5. Update on Planning Commission and Committee Vacancies.

City Clerk Adams explained that there has been no interest expressed for any of the current, vacant positions open, which include 1) Planning Commission, 2) STR Committee, and 3) Trails Committee. The recruitment process will continue until such time qualified candidates express interest.

Information item only. No decision was made.

XI. FUTURE AGENDA ITEMS

ADJOURNMENT: 9:15pm.

Submitted by:

_____ signed copy on file _____
Gabriel Adams
Trinidad City Clerk

Approved by:

_____ signed copy on file _____
Steve Ladwig
Mayor